

# FAX

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**To: Commissioner for Patents**  
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**From: Ellen Webb**  
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## NOTES:

Re: U.S. Application Serial No. 10/789,591  
Notice of Allowance dated February 6, 2008

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**Date and time of transmission:** Friday, February 08, 2008 4:28:18 PM  
**Number of pages including this cover sheet:** 05

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Group Art Unit 3746

In re Patent Application of:

Bruce A. Maki et al.

Application No.: 10/789,591

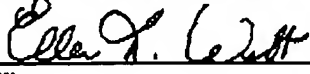
Confirmation No.: 7775

Filed: February 27, 2004

Examiner: Vikansha S. Dwivedi

"DOUBLE ACTION SIMPLEX  
PLUNGER/DIAPHRAGM PUMP"

I, Ellen R. Webb, hereby certify that this correspondence is  
being transmitted by facsimile (571-273-8300) and is  
addressed to the Commissioner For Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450, on the date of my signature.

  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
February 8, 2008  
Date of Signature

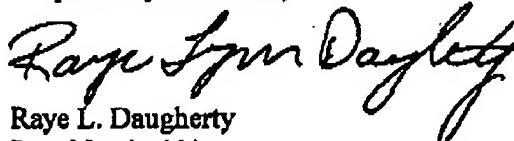
**COMMUNICATION CONCERNING OATH/DECLARATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notice of Allowance dated February 6, 2008, and the Examiner's request that a substitute declaration or oath be submitted because the original oath was not signed by the inventors, Applicants are providing a copy of the Declaration and Power of Attorney signed by both inventors that was received by the United States Patent Office on July 27, 2004 and entered into PAIR. Please contact the undersigned if there are additional issues to be addressed prior to payment of the issue fee. Please charge any necessary fees to Deposit Account No. 50-2638.

Respectfully submitted,

  
\_\_\_\_\_  
Raye L. Daugherty  
Reg. No. 47,933

File No. 105204-011200  
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Application/Control Number: 10/789,591  
Art Unit: 3746

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**DETAILED ACTION**

***Election/Restrictions***

Applicant's election without traverse of the plunger pump species of Figure 4 in the reply filed on 10/31/2007 is acknowledged.

Applicant amended Claim 1 and the title of the application to specify a plunger pump.

Applicant cancelled Claim 9. Applicant also amended dependent Claim 10.

Applicants amendments submitted with the reply of 10/31/2007 are acknowledged and entered.

***Oath/Declaration***

It was not executed in accordance with either 37 CFR 1.66 or 1.68. Application has joint inventors and the oath is not signed by both inventors.

Applicant is now required to submit a substitute declaration or oath to correct the deficiencies set forth above. The substitute oath or declaration must be filed within the THREE MONTH shortened statutory period set for reply in the "Notice of Allowability" (PTO-37). Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136. Failure to timely file the substitute declaration (or oath) will result in **ABANDONMENT** of the application. The transmittal letter accompanying the declaration (or oath) should indicate the date of the "Notice of Allowance" (PTOL-85) and the application number in the upper right hand corner.